IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 749 of 2005

Between:

Undurthi Gangayya, S/o Late Undurthi Venkataratnam,
R/o Katheru village, Rajahmundry Rural Mandal, East

Godavari District.

... PETITIONER

AND

1 The Joint Collector, East Godavari District at Kakinada.
2 The Mandal Revenue Officer, Rajahmundry Rural Mandal, East

Godavari District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction, more particularly one in the nature of writ of Mandamus declaring the action of the 2nd respondent in not taking action on my representation dated 16-9-2002 for issuing pattadar pass book and title dead pass book in respect of land in an extent of ac. 2-70 cents in Survey No. 235/1 of Katheru village, Rajahmundry Rural Mandal, East Godavari district is illegal, arbitrary and against the provisions of A.P. record of rights in land and pass books Act, 1971 and consequently direct the 2nd respondent to issue pattadar pass book and title deed pass book accordingly to the provisions of A.P. record of rights and pattadar pass books Act, 1971

Counsel for the Petitioner: MR.V.NARAYANA REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court, at the admission stage, made the following:

ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the second respondent in not taking action on the petitioner's representation dated 16-09-2002 for issuing pattadar passbook and title deeds in respect of land in an extent of Ac.2.70 cents of land in S.No.235/1 of Katheru Village, Rajahmundry Rural Mandal, East Godavari Mandal, as illegal and arbitrary.

2. Heard the learned counsel for the petitioner and the learned Government Pleader appearing on behalf of the respondents and with their consent, the writ petition is being disposed of finally at the admission stage.

3. Petitioner claims that his father, who had been in possession and enjoyment of the inam land in an extent of Ac.2.70 cents in Survey No.235/1 of Katheru village, raised a hut in an extent of 0.5 cents and living therein. Thereafter, his father is said to have made an application for grant of Ryotwari Patta and the then Tahsildar directed to appear before him on 19-09-1989 for making representation and adducing evidence. It is stated that even though the petitioner's father appeared on the said date, the Tahsildar neither passed any orders nor rejected the claim. It is further stated that petitioner and his family had been in possession and enjoyment of the said land and his father's name had been entered in the revenue records. Aggrieved thereby, petitioner and one Dalith Bahujana Vyavasaya Vrthidarla union are said to have made a representation dated 16-09-2002 to the first respondent, who in turn directed the second respondent to examine and issue pattadar passbook and title deeds, if eligible, but so far, the second respondent has not passed any orders on the said representation.

4. Having regard to the facts and circumstances of the case and in view of the fact that the representation of the petitioner dated 16-09-2002, is pending on the file of the second respondent, I deem it appropriate to dispose of the writ petition directing

the second respondent, Mandal Revenue Officer to consider the said representation of the petitioner and pass appropriate orders, thereon, in accordance with law.

5. The writ petition is accordingly disposed of at the admission stage.

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N.V. RAMANA, J

January 25, 2005

MRR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

COPY TO:

1 The Joint Collector, East Godavari District at Kakinada.
2 The Mandal Revenue Officer, Rajahmundry Rural Mandal, East

Godavari District.

3 Two C.C. s to the G.P. for Revenue, High Court Buildings,

Hyderabad (OUT)

4 Two C.D. Copies.